

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

DANNY ADRIAN

Petitioner,

-vs-

SAMUEL TAMBI, Warden,

Respondent,

Case No. C-3-08-CV-035

JUDGE THOMAS M. ROSE

CHIEF MAGISTRATE JUDGE MICHAEL MERZ

**ENTRY AND ORDER OVERRULING PETITIONER'S OBJECTIONS (DOC. #13) AND
ADOPTING THE CHIEF MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS (DOC. #10) DISMISSING WITH PREJUDICE PETITIONER'S
PETITION FOR HABEAS CORPUS (DOC. #1), DENYING PETITIONER CERTIFICATE
OF APPEALABILITY AND TERMINATION ENTRY.**

This matter comes before the Court pursuant to the Petitioner's Objections (Doc. #13), filed August 15, 2008, to the Chief Magistrate Judge's Report and Recommendations (Doc. #10) filed June 30, 2008. The Court has conducted a de novo review of all filings in this matter and finds the Objections (Doc. #13) not to be well-founded and OVERRULES same, ADOPTING the Chief Magistrate Judge's Report and Recommendations (Doc. #10) DISMISSING Petitioner's Petition (Doc. #1) for Writ of Habeas Corpus with prejudice.

This Court would also find that no reasonable jurist would dispute this result and would DENY any requested certificate of appealability and leave to proceed in forma pauperis on appeal.

This matter is hereby ORDERED terminated upon the docket records of the United States District Court, Southern Division at Dayton, Ohio.

Therefore, this Court DISMISSES the Petitioner's Petition (Doc. #1) for Writ of Habeas Corpus.

August 19, 2008

s/**THOMAS M. ROSE**

JUDGE THOMAS M. ROSE
United States District Court